

ENTERED

December 18, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CHERELLE MOORE,
(SPN #2794152)
Plaintiff,

vs.

DETENTION OFFICER
LAWRENCE and
DETENTION OFFICER
LUCKETT,
Defendants.

§ CIVIL ACTION No
§ 4:23-cv-4443
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§ JUDGE CHARLES ESKRIDGE
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MEMORANDUM ON DISMISSAL

The complaint filed by Plaintiff Cherelle Moore is dismissed without prejudice for want of prosecution. Dkt 1.

Moore proceeds here *pro se*. She complains of the use of excessive force. She was an inmate of the Harris County Jail at the time of filing. The Clerk's notice to *pro se* litigant of case opening was returned as undeliverable because she's no longer at that location. Dkt 4. Online records also show that she's no longer confined there.

Notices are sent only to the address on file, and a *pro se* litigant is responsible for keeping the Clerk advised in writing of a current address. Local Rule 83.4. Moore hasn't provided the Clerk with an accurate, current address.

Under the inherent powers necessarily vested in a district court to manage its own affairs, this action is dismissed for want of prosecution. See FRCP 41(b); *Link v Wabash Railroad Co*, 370 US 626, 630–31 (1962); *Clofer v Perego*, 106 F3d 678, 679 (5th Cir 1997); James W. Moore,

et al, 8 *Moore's Federal Practice* § 41.51(3)(b) & (e) (Matthew Bender 3d ed 2017).


Relief under Rule 60(b) of the Federal Rules of Civil Procedure will be granted upon a proper showing. See *Link*, 370 US at 635.

The civil action filed by Plaintiff Cherelle Moore is DISMISSED WITHOUT PREJUDICE for want of prosecution. Dkt 1. Her motion to proceed *in forma pauperis* is DENIED WITHOUT PREJUDICE. Dkt 2.

Any other motions are DENIED AS MOOT.

SO ORDERED.

Signed on December 18, 2023, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge